

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROGELIO CORONA-CUEVAS,

CV 06-743-ST

Petitioner,

OPINION AND ORDER

v.

GUY HALL,

Respondent.

ANTHONY D. BORNSTEIN
Assistant Federal Public Defender
101 SW Main Street, Suite 1700
Portland, OR 97204

Attorney for Petitioner

HARDY MEYERS
Attorney General
JONATHAN W. DIEHL
Senior Assistant Attorney General
Department of Justice
1162 Court Street NE
Salem, OR 97301-6313

Attorneys for Respondent

MARSH, Judge:

Magistrate Judge Stewart filed her Findings and Recommendation on June 10, 2008. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of the Magistrate's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate's report. See 28 U.S.C. § 636(b)(1)(C); *McDonnell Douglas Corp. v.*

Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), *cert. denied*, 455 U.S. 920 (1982).

Petitioner filed timely objections. I have, therefore, given the file of this case a *de novo* review. I do not find any error. Accordingly, I ADOPT the Findings and Recommendation (#39) of Magistrate Judge Stewart.

IT IS SO ORDERED.

DATED this 16 day of July, 2008.

___/s/ Malcolm F. Marsh_____
Malcolm F. Marsh
United States District Judge